

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARTHUR RONESS,)
Plaintiff,) No. C18-1030 RSM
vs.) STIPULATED MOTION AND ORDER TO
T-MOBILE USA, INC., a Delaware corporation,) EXTEND DISCOVERY DEADLINE RE
Defendant.) DEPOSITION OF BROADSPIRE
) REPRESENTATIVE

COMES NOW, Plaintiff Arthur Roness and Defendant T-Mobile USA, Inc., by and through their respective counsel of record, hereby move pursuant to Federal Rules of Civil Procedure 6(b) and Local Civil Rule 7(j) for relief from the discovery deadline for the limited purpose of: (1) taking the Rule 30(b)(6) deposition of Broadspire Services, Inc.’s (“BSI”) representative; and (2) allowing T-Mobile to answer interrogatory questions in lieu of undergoing a Rule 30(b)(6) deposition.

STIPULATION

In September 2018, BSI was served with a subpoena to produce all documents in its possession related to Plaintiff's leave of absence. BSI produced documents in October 2018. Thereafter, BSI was subpoenaed to be deposed in California on May 22, 2019. During the deposition, it was discovered that BSI did not comply with the subpoena demanding production of all documents and that its Rule (30)(b)(6) representative, who appeared to testify on BSI's behalf, was relying on information and materials BSI failed to previously disclose. As a result, the parties agreed to postpone and continue BSI's deposition to a new date.

On June 5, 2019, BSI was served with subpoena for its continued deposition, which was scheduled for June 25, 2019. However, because BSI's Rule 30(b)(6) representative's schedule and defense counsel's unavailability, the deposition could not be rescheduled before the current discovery cut-off date of July 1, 2019. The parties hereby stipulate, agree and request that the Court grant an extension of the discovery deadline to allow the parties to complete BSI's deposition, which is currently scheduled for July 8, 2019.

The parties also request that the discovery deadline be extended to allow Defendant to answer interrogatory questions in lieu of appearing for a Rule 30(b)(6) deposition. T-Mobile's Rule 30(b)(6) representative's deposition is currently scheduled for July 1, 2019. However, Defendant's counsel is unavailable on that date. As a compromise, in lieu of rescheduling the 30(b)(6) deposition, the parties agreed to have Defendant answer specific written questions in accordance with Rule 33 after the discovery deadline. The parties stipulate, agree and therefore request that the Court also grant an extension of the discovery deadline to allow Defendant to answer specific written questions in accordance with Rule 33 in lieu of appearing for the 30(b)(6) deposition.

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2 DATED THIS 25th day of June 2019.

3 SEBRIS BUSTO JAMES

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ORDER

PURSUANT TO THE PARTIES' STIPULATION IT IS SO ORDERED

IT IS FURTHER ORDERED that pursuant to LCR 7(j), the discovery deadline in this matter shall be extended so that: (1) the parties may take the deposition of BSI's 30(b)(6) representative; and (2) T-Mobile can answer specific written questions in accordance with Rule 33 in lieu of appearing for a Rule 30(b)(6) deposition.

DATED this 27th day of June 2019.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE